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<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/566,613	STACK ET AL.	
	Examiner	Art Unit	
	Tung S. Lau	2863	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 01/31/2006.
2. ☒ The allowed claim(s) is/are 1-14.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application                      |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date <u>01/31/2006</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                     | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### **Information Disclosure Statement**

1. Information Disclosure Statement filed on 01/31/2006 is acknowledged by the examiner; A copy of a signed PTO-1449 attached with this office action.

### **Preliminary Amendment**

2. Preliminary Amendment filed on 01/31/2006 is noted by the examiner.

### **Drawings**

3. Drawings filed on 01/31/2006 has been accepted by the examiner.

### **Prior Art Cited**

4. Although the prior art discloses several claimed limitation, for example: The closest reference found in Bruck (U.S. Patent 5,228,327) discloses an apparatus and accompanying methods for inclusion in a Coriolis meter for measuring and updating a mechanical zero value for the meter using only zero flow measurements that have a sufficiently low noise content. Specifically, the meter produces zero flow measurements while no fluid is flowing through the meter. If a standard deviation of these zero flow measurements is less than a pre-defined limit value, then a resulting mechanical zero value, based on those measurements, is subsequently subtracted from the flow based measurement data.

### **Allowable Subject Matter**

5. Claims 1-14 are allowed.

### ***Reasons for Allowance***

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6. The following is an examiner's statement of reasons for allowance:

Independent claims 1, 13 and 14 contain allowable subject matter. None of the prior art of record shows or fairly suggests the claimed invention.

Regarding claim 1:

The primary reason for the allowance of claim 1 is the inclusion of the meter electronics for a flow measurement apparatus having a processing system for correcting flow information generated by said flow measurement apparatus; said meter electronics including sample a data point outside of said deviation limits to define information representing a true material flow of said flow measurement apparatus; continue said sampling of said data points as long as said sampled data points are within said deviation limits; prevent said spurious flow information from being applied as to an output of said flow measurement apparatus during the sampling of data points within deviation limits; determine that the most recently sampled data point is outside of said deviation limits and thereby represents information for a true material flow of said flow measurement apparatus. It is these features found in the claim, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes this claim allowable over the prior art.

Claims 2, 3, 4, 8, 6, 9, 12, 10, 11, 5 and 7 are allowed due to their dependency on claim 1.

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Regarding claim 13:

The primary reason for the allowance of claim 13 is the inclusion of the 1meter electronics for a flow measurement apparatus having a processing system for correcting flow information generated by said flow measurement apparatus; said meter electronics including:

**derive an expression to define data points characterizing the parameters of time delay  $\Delta t$  and input power of said flow measurement apparatus during a low flow state of said flow measurement apparatus;**

**subtract said expression for a zero flow state of said flow measurement apparatus from said expression for said low flow state to obtain an output signal devoid of the errors induced during said zero flow state.**

It is these features found in the claim, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes this claim allowable over the prior art.

Regarding claim 14:

The primary reason for the allowance of claim 14 is the inclusion of the method of operating a flow measurement apparatus for correcting flow information generated by said flow measurement apparatus, said method including the steps of: determining whether each sampled data point is within said deviation limits; sampling a data point within said deviation limits to define spurious flow information for said zero flow state; sampling a data point outside of said deviation limits to define information representing a true material flow of said flow

measurement apparatus; preventing said spurious flow information from being applied as to an output of said flow measurement apparatus during the sampling of data points within deviation limits; determining that the most recently sampled data point is outside of said deviation limits and thereby represents information for a true material flow of said flow measurement apparatus. It is these features found in the claim, as they are claimed in the combination, that has not been found, taught or suggested by the prior art of record which makes this claim allowable over the prior art.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **Contact information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL

  
MICHAEL NGHIE  
PRIMARY EXAMINER